

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE COMPLAINT BY) ORDER GRANTING MOTION
CONSOLIDATED EDISON DEVELOPMENT, INC.) TO AMEND COMPLAINT
AGAINST NORTHWESTERN CORPORATION)
DBA NORTHWESTERN ENERGY FOR) EL16-021
ESTABLISHING A PURCHASE POWER)
AGREEMENT)**

On June 23, 2016, Juhl Energy, Inc. (Juhl) filed a Complaint with the with the South Dakota Public Utilities Commission (Commission) seeking resolution of a dispute with NorthWestern Corporation dba NorthWestern Energy (NorthWestern) regarding the proper avoided cost for a long-term electric power purchase agreement. On June 30, 2016, the Commission electronically transmitted notice of the Complaint and the intervention deadline of July 25, 2016, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv.

On August 4, 2016, the Parties filed a Joint Request for a Procedural Schedule. At its regularly scheduled meeting on August 16, 2016, the Commission established a Procedural Schedule. On October 24, 2016, Juhl filed a request for confidential treatment of responses to NorthWestern's Discovery Requests 1-29 and 1-31. On November 17, 2016, the Commission issued an order granting Juhl's request for confidential treatment. On February 1, 2017, Consolidated Edison Development, Inc. filed a Notice of Appearance and Motion to Amend Complaint based on Consolidated Edison Development, Inc.'s acquisition of Juhl Energy Inc.'s interest in the three wind energy projects that are the subject of this docket. On February 9, 2017, the parties filed a Stipulation Allowing the Amended Complaint.

The Commission has jurisdiction over this matter pursuant to the Public Utility Regulatory Policy Act of 1978, 16 U.S.C. § 824a-n, and SDCL Chapters 1-26, 49-13, and 49-34A.

The Commission considered the Motion to Amend Complaint at its regularly scheduled meeting on February 10, 2017. The Commission voted unanimously to grant the Motion to Amend Complaint.

It is therefore

ORDERED, that the Motion to Amend Complaint is hereby granted.

Dated at Pierre, South Dakota, this 15th day of February, 2017.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.
By: <u>Adam Deffreck</u>
Date: <u>2/15/17</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner